6603556/2022/OP-I-AGC01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Service – Agricultural Marketing Department – Departmental Proceedings initiated against Sri M. Swaminath, the then Assistant Marketing Supervisor, AMC, Committee, Kothapeta, East Godavari District & presently working as Assistant Marketing Supervisor, AMC, Nagaram uder Rule 200 of A.P(AP&LS)Market Rules, 1969 – Additional Article of Charge - Issued.

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AGRICULTURE & COOPERATION(VIG.II) DEPARTMENT

G.O.Rt.No.747 **Dated:09.11.2022**

Read the following:-

1. G.O.Rt.No.792, Agri. & Coop.(Vig.II)Dept., dated:11-11-2020.
2. E-file No.AGC05-16021/19/2019-DISCPLR SEC-MRKT(Computer No.863225), dated:11-08-2021 &03-11-2022 of the C&DoAM, AP, Guntur.

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O R D E R:

It is proposed to hold an enquiry against Sri M. Swaminath, the then Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta, East Godavari District & presently working as Assistant Marketing Supervisor, Agricultural Market Committee, Nagaram in accordance with the procedure laid down in Rule 200 of Andhra Pradesh(AP&LS)Market Rules, 1969.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I & II). A list of documents by which, and a list of witnesses by whom, the article of charge are proposed to be sustained are also enclosed (Annexure III & IV). Copies of the documents cited in Annexure-III are also communicated herewith to the Charged Officer. Other witness and documents will also be cited and examined if necessary in addition to the witnesses and documents already cited in Annexure III & IV.

3. Sri M. Swaminath, the then Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta, East Godavari District & presently working as Assistant Marketing Supervisor, Agricultural Market Committee, Nagaram is directed to appear before the disciplinary authority within 10 days of the receipt of this charge memo and submit written statement of his defense and also to state whether he desired to be heard in person.

4. Sri M. Swaminath, the then Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta, East Godavari District & presently working as Assistant Marketing Supervisor, Agricultural Market Committee, Nagaram is further informed that an enquiry will be held only in respect of those article of charges that are not admitted. He should, therefore, specifically admit or deny the article of charge.

5. Sri M. Swaminath, the then Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta, East Godavari District & presently working as Assistant Marketing Supervisor, Agricultural Market Committee, Nagaram is

(P.T.O.)

further informed that, if he does not submit his written statement of defense on or before the date specified in para 3 above, or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services(Classification, Control & Appeal) Rules 1991, or the orders / directions issued in pursuance of the said rules/ further action will be processed based on the material evidence.

6. The attention of Sri M. Swaminath, the then Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta, East Godavari District & presently working as Assistant Marketing Supervisor, Agricultural Market Committee, Nagaram is invited to Rule 24 of the A.P.C.S (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to hear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri M. Swaminath, the then Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta, East Godavari District & presently working as Assistant Marketing Supervisor, Agricultural Market Committee, Nagaram is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the A.P.C.S (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PARDESH)

CHIRANJIV CHOUDHARY, IFS,
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri M. Swaminath,
The then Assistant Marketing Supervisor,
Agricultural Market Committee, Kothapeta, East Godavari District & presently working as Assistant Marketing Supervisor,
Agricultural Market Committee, Nagaram
(Through: The Commissioner & Director of Agricultural Marketing, A.P., Guntur)

Copy to:

The Commissioner & Director of Agricultural Marketing, A.P., Guntur(with a request to serve the order on the individuals and send the served copy with dated signature to Government)

SF/SC.

//FORWRDED :: BY ORDER//

K. Sampath Kumar
SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SRI M. SWAMINATH, THE THEN ASSISTANT MARKETING SUPERVISOR, AGRICULTURAL MARKET COMMITTEE, KOTHAPETA, EAST GODAVARI DISGTRICT & PRESENTLY WORKING AS ASSISTANT MARKETING SUPERVISOR, AGRICULTURAL MARKET COMMITTEE, NAGARAM

Additional Article of Charge:

"That Sri M. Swaminath, the then Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta, East Godavari District & presently working as Assistant Marketing Supervisor, Agricultural Market Committee, Nagaram has committed to misappropriation of Agricultural Market Committee funds with a tune of Rs.14,239/- and temporarily misappropriation of an amount of Rs.28,31,698/- while working at Ravulapalem check post as Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta during his working period in the years 2014-15, 2017-18 and 2018-19 and non remittance of Market Fee collections to Agricultural Market Committee funds duly violating the instructions issued vide Circular No.DS(2)584/2012, dated:01.02.2012 of the Commissioner & Director of Agricultural Marketing, A.P.

By his above mentioned acts, he has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of public servant and thereby contravened Rule 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964".

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI M. SWAMINATH, THE THEN ASSISTANT MARKETING SUPERVISOR, AGRICULTURAL MARKET COMMITTEE, KOTHAPETA, EAST GODAVARI DISTRICT & PRESENTLY WORKING AS ASSISTANT MARKETING SUPERVISOR, AGRICULTURAL MARKET COMMITTEE, NAGARAM ARE PROPOSED TO BE SUSTAINED.

Imputations of Charge:-

Based on report of RDDM, Vijayawada vide Letter No. RDDM/VJA/SMA/28/2020, dated:08.04.2021, Sri M. Swaminath, the then Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta,East Godavari District & presently working as Assistant Marketing Supervisor, Agricultural Market Committee, Nagaram, while working at Ravulapalem check posts as Assistant Marketing Supervisor has not remitted the Market Fee receipt amount of Rs.14,239/- and temporarily misappropriation of an amount of Rs.28,31,698/- during his working period in the years 2014-15, 2017-18 and 2018-19, with malafide intensity and committed to misappropriation of Market Committee funds duly violating the instructions issued vide Circular No.DS(2)584/2012, dated:01.02.2012 of the Commissioner & Director of Agricultural Marketing, A.P.

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By his above mentioned acts, he has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of public servant and thereby contravened Rule 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964. Hence, the Charge".

ANNEXURE–III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI M. SWAMINATH, THE THEN ASSISTANT MARKETING SUPERVISOR, AGRICULTURAL MARKET COMMITTEE, KOTHAPETA, EAST GODAVARI DISTRICT & PRESENTLY WORKING AS ASSISTANT MARKETING SUPERVISOR, AGRICULTURAL MARKET COMMITTEE, NAGARAM.

1. Report of RDDM, Vijayawada vide Letter No. RDDM/VJA/SMA/28/2020, dated:08.04.2021
2. Circular No.DS(2) 584/2012, dated:01.02.2012 of the Commissioner & Director of Agricultural Marketing, A.P.

ANNEXURE–IV

LIST OF WITNESSES BY WHOM BY THE ARTICLE OF CHARGES FRAMED AGAINST SRI M. SWAMINATH, THE THEN ASSISTANT MARKETING SUPERVISOR, AGRICULTURAL MARKET COMMITTEE, KOTHAPETA, EAST GODAVARI DISTRICT & PRESENTLY WORKING AS ASSISTANT MARKETING SUPERVISOR, AGRICULTURAL MARKET COMMITTEE, NAGARAM ARE PROPOSED TO BE SUSTAINED.

1. Deputy Director of Marketing, Visakhapatnam.

CHIRANJIV CHOUDHARY, IFS,
PRINCIPAL SECRETARY TO GOVERNMENT